
**CITY OF GALLATIN
COUNCIL COMMITTEE MEETING**

March 26, 2013

6:00 pm

**Dr. J. Deotha Malone
Council Chambers**

- Call to Order: Vice Mayor Alexander, Presiding
- Roll Call: Vice Mayor Alexander – Brackenbury – Camp – Hayes – Kemp – Mayberry – Overton – Mayor Graves
- Approval of Minutes: February 26, 2013 Council Committee Meeting
- Public Recognition
- Mayor's Comments

AGENDA

1. January Financial Reports (**Rachel Nichols, Finance/IT**)
2. Appropriate funds as stipulated in donation to Fire Department (**Rachel Nichols, Finance/IT**)
3. South Pardue Avenue on-street parking (**Nick Tuttle, Engineering**)
4. Kroger Surety on Savannah (**Joe Thompson, City Attorney**)

- Other Business
- Department Head Reports
- Adjourn

City of Gallatin Council Committee Meeting

Tuesday, March 12, 2013
Dr. J. Deotha Malone Council Chambers
Gallatin City Hall

PRESENT:

Mayor Jo Ann Graves
Vice Mayor John D. Alexander
Councilwoman Julie Brackenbury
Councilman Steve Camp
Councilman Craig Hayes
Councilwoman Anne Kemp
Councilman Ed Mayberry
Councilman Jimmy Overton

ABSENT:

OTHERS PRESENT:

Rosemary Bates, Special Projects Director
Rachel Nichols, Finance/I.T. Director
Nick Tuttle, City Engineer
Ann Whiteside, Mayor's Office
Billy Crook, Fire Chief
Connie Kittrell, City Recorder
David Brown, Leisure Services Director
Rob Kalisz, Codes/Planning

Don Bandy, Police Chief
Ronnie Stiles, Public Works Dir.
Dave Crawford, Personnel Off.
Katherine Schoch, Asst. Dir., Codes/Planning
David Gregory, Public Utilities Dir.
Joe Thompson, City Attorney
James Fenton, EDA
News Examiner, Reporter
Gallatin Newspaper, Reporter

Call to Order

Vice Mayor John D. Alexander called the meeting to order.

Approval of Minutes

Vice Mayor Alexander presented the minutes of the February 26, 2013 Council Committee Meeting for approval.

Councilman Overton made motion to approve; Councilman Camp seconded. Motion carried with 7 ayes and 0 nays.

Public Recognition

Vice Mayor Alexander opened public recognition.

Tommy Garrott made comments on the following:

- Mr. Garrott stated his concerns with the city helping a private property owner/developer to obtain a grant that will make his property more valuable. Mr. Garrott stated the cities name is on the grant and he requested council look at this very closely.
- Mr. Garrott stated South Pardue is an alley and has never been a street. He suggested making it a one-way street.
- Mr. Garrott stated the next item concerns property that he and his brother own together. Mr. Garrott added that if need be he will come back to give more information.
- Mr. Garrott stated that unless the city has a need for the Brown's Tires property there is no reason to purchase the property.
- Mr. Garrott encouraged council to study the budgets. He stated capital should go through after all the budgets are set. He also recommended a bond this year to do capital projects.

With no one else wishing to speak, public recognition was closed.

Mayor's Comments

Mayor deferred her comments at this time.

Agenda

1. Park and Ride

Councilman Hayes explained that RTA has received a grant to build a park-n-ride lot at the corner of Enterprise Drive and GreenLea Boulevard. The RTA has worked with the property owner to obtain the grant and move the process forward. The property can be used as the required match for the grant; however, it must be in the City of Gallatin's name to be accepted as the match. The property owner is offering to donate the property, approximately 1.2 acres, to the City of Gallatin. There are letters of support for the project from Dr. Jerry Faulkner, President of Volunteer State Community College, and Kevin Kuntz, General Manager of Gap, Inc. in Gallatin. The property is

appraised at \$122,300.00 per the appraisal and the review appraisal which were commissioned and paid for by the RTA.

Mayor Graves introduced Lora Baulsir, General Manager for RTA.

Councilman Mayberry asked how many parking spaces will be available and if both stops in Gallatin will be left open.

Ms. Baulsir stated there will be 128 parking spaces and they will probably close the stop at Wal-Mart. She stated they try to have only two stops.

Discussion continued on the city being responsible for maintenance, trash pick-up, mowing grass, and the projected cost to the city.

Ms. Baulsir stated Wilson County has a budget of \$3,500 to maintain their park-n-ride location.

There was discussion on growth around transit areas, shuttles provided by Vol State College for students, The Gap getting a new line and adding positions, extra expenses to the city and the number of current riders.

Vice Mayor Alexander stated this will move on to Council.

2. South Pardue Avenue On-Street Parking

City Engineer Nick Tuttle stated Councilwoman Kemp requested this item be placed on the agenda for discussion. Mr. Tuttle added that he looked at the 2011 Traffic Study and the Police Department recommended making South Pardue (between Winchester and Bledsoe) a one-way street from south to north.

Mr. Tuttle stated his department did not have a problem with South Pardue as a one-way street but asked for direction from Council.

Councilwoman Kemp stated this does not solve the problem, the problem are the cars parked on the street. She requested no parking on the street with parking around back.

Discussion continued on the narrow street and available options.

Councilwoman Kemp requested Mr. Tuttle talk with Mr. Tschaepe at the Gallatin Housing Authority and bring back some cost estimates.

Councilwoman Brackenbury requested visuals of the options.

3. Ordinance #O1302-8 amending the Zoning Ordinance of the City of Gallatin, Tennessee by amending property located at 420A and 420B Odoms Bend Road

Rob Kalisz of the Planning Department explained the owners request for rezoning from Agriculture Residential (A) Zone District to Specific Plan (SP) Zone District. Mr. Kalisz stated staff and Planning Commission recommends this zoning.

There was discussion on the traffic impact study that showed a minimal increase, TDOT adding left and right turn lanes at Odoms Bend Road on Highway 109.

Council also discussed the proposed structure will be approximately 150 feet off Odoms Bend Road and keeping the natural vegetation and trees.

Councilman Overton made motion to approve; Councilman Hayes seconded. Motion carried with 7 ayes and 0 nays.

4. Brown's Tires (f/k/a Oakley's Grocery)

City Attorney Joe Thompson requested a deferral for two weeks. Mr. Thompson stated he was waiting on a response from the State.

Councilwoman Kemp made motion to defer; Councilman Overton seconded. Motion carried with 7 ayes and 0 nays.

Department Head Reports

- Police Chief Don Bandy informed Council that the police cars are already equipped with the automated license plate readers. Chief Bandy requested use of the mast arm at GreenLea/Nashville Pike intersection to mount the fixture. Chief continued that this is a grant paid for by EMA with a cost of \$70 per month.

Councilman Overton made motion to approve; Councilwoman Brackenbury seconded. Motion carried with 7 ayes and 0 nays.

- Public Works Director Ronnie Stiles stated the City has reached an agreement with the owners of the property on Peninsula Drive for \$27,900 to help with the drainage issues. Mr. Stiles added that the money is in his budget.

Councilman Hayes made motion to approve; Councilman Overton seconded. Motion carried with 7 ayes and 0 nays.

- Finance/IT Director Rachel Nichols asked for clarification from Councilman Mayberry on his previous request for information. Ms. Nichols stated she had started a report listing devices, servers, laptop, printers, and switches and asked if that was the type of report he was requesting.

Councilman Mayberry stated this information is fine.

Ms. Nichols passed out her information to Council.

Other Business

Vice Mayor Alexander asked for any other business.

City Attorney Joe Thompson stated he needed to update Council after this meeting on the situation discussed last week in executive session.

Councilman Mayberry invited every department head to every budget meeting even if they are not on the agenda.

Mayor Graves agreed with Councilman Mayberry's invitation.

Adjourn

With no further business to discuss, Vice Mayor Alexander adjourned the meeting.

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

03/26/2013

DEPARTMENT: Finance / IT

AGENDA # 1

SUBJECT:

January Financial Reports

SUMMARY:

January Financial Reports

RECOMMENDATION:

Approval

ATTACHMENT:

☐ Resolution
☐ Ordinance

☐ Correspondence
☐ Contract

☐ Bid Tabulation
☒ Other

Approved ☐
Rejected ☐
Deferred ☐

Notes:

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

3/26/2013

DEPARTMENT: Finance/I. T.

AGENDA # **2**

SUBJECT:

Appropriate funds as stipulated in donation to Fire Department

SUMMARY:

Appropriate funds donated to the Gallatin Fire Department, to be used as stipulated in the donation letter.

RECOMMENDATION:

approval

ATTACHMENT:

☐ Resolution
☒ Ordinance

☐ Correspondence
☐ Contract

☐ Bid Tabulation
☒ Other

Approved ☐
Rejected ☐
Deferred ☐

Notes:

ORDINANCE NO. 01303-12

ORDINANCE APPROPRIATING FUNDS FROM DONATIONS

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of \$7,000 is hereby appropriated from account 110-36700, Donations, as follows:
\$1,000 to the Gallatin Fire Department Fire Prevention Clown Show, 11042220-329-48,
\$1,000 to the Gallatin Fire Department Honor Guard, 11042220-329-49,
\$2,000 to be used at the discretion of personnel at Station 1, 11042220-329-50,
\$1,000 to be used at the discretion of personnel at Station 2, 11042220-329-51,
\$1,000 to be used at the discretion of personnel at Station 3, 11042220-329-52,
\$1,000 to be used at the discretion of personnel at Station 4, 11042220-329-53, and,

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that this Ordinance shall take effect from and after its final passage, the public welfare requiring such.

PASSED FIRST READING:.

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

APPROVED AS TO FORM:

CONNIE KITTRELL

JOE THOMPSON

CITY RECORDER

CITY ATTORNEY

To: Rachel Nichols, City of Gallatin Finance Director

FR: Gallatin Firefighters Association

RE: Contributions

Rachel,

This is a letter stating the contributions given by the Gallatin Firefighters Association to the City of Gallatin, to be distributed out as follows, 11042220 - 329 -

\$1,000 to the Gallatin Fire Department Fire Prevention Clown Show - 48

\$1,000 to the Gallatin Fire Department Honor Guard. - 49

\$2,000 to be used at the discretion of the personnel assigned to Gallatin Fire Station 1 - 50

\$1,000 to be used at the discretion of the personnel assigned to Gallatin Fire Station 2 - 51

\$1,000 to be used at the discretion of the personnel assigned to Gallatin Fire Station 3 - 52

\$1,000 to be used at the discretion of the personnel assigned to Gallatin Fire Station 4 - 53

The total amount is \$7,000. 110 - 36700

Sincerely,

Ben Harris

President

Charles Johnson

Vice President

Kyle Hamill

Secretary / Treasurer

Gallatin Firefighters Association

Local 4501

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

March 26, 2013

DEPARTMENT: Engineering

AGENDA # 3

SUBJECT:

South Pardue Avenue On-Street Parking

SUMMARY:

Council requested this item be placed on the agenda for discussion. The Police Department recommended in a 2011 Traffic Study to install the appropriate signage to make South Pardue Avenue (between Winchester and Bledsoe) a one-way street from south to north. The Engineering Division concurs with this recommendation. At the March 12th Committee Meeting, Council requested options be brought back to the next meeting. Attached is Exhibits that were presented in 2011 along with cost estimates.

RECOMMENDATION:

ATTACHMENT:

☐ Resolution
☐ Ordinance

☐ Correspondence
☐ Contract

☐ Bid Tabulation
☒ Other

Approved ☐
Rejected ☐
Deferred ☐

Notes:

On-Street Parking Recommendations

Table 1 lists streets that currently have on-street parking and meet current Subdivision Regulation Requirements and/or AASHTO Green Book standards. Engineering recommends no changes to these streets.

Table 1

Chambers Circle	Owen Drive
Cosco Drive	Hull Circle
North Boyers Avenue	*Blythe Avenue
South Pardue Avenue (Between East Bledsoe and East Winchester)	South Pardue Avenue (Between South Westland and East Winchester)
Lackey Circle	Lake Street
Alexander Court	Pace Street (West of Lake Street)
*South Westland (Between East Bledsoe Street and East Winchester)	

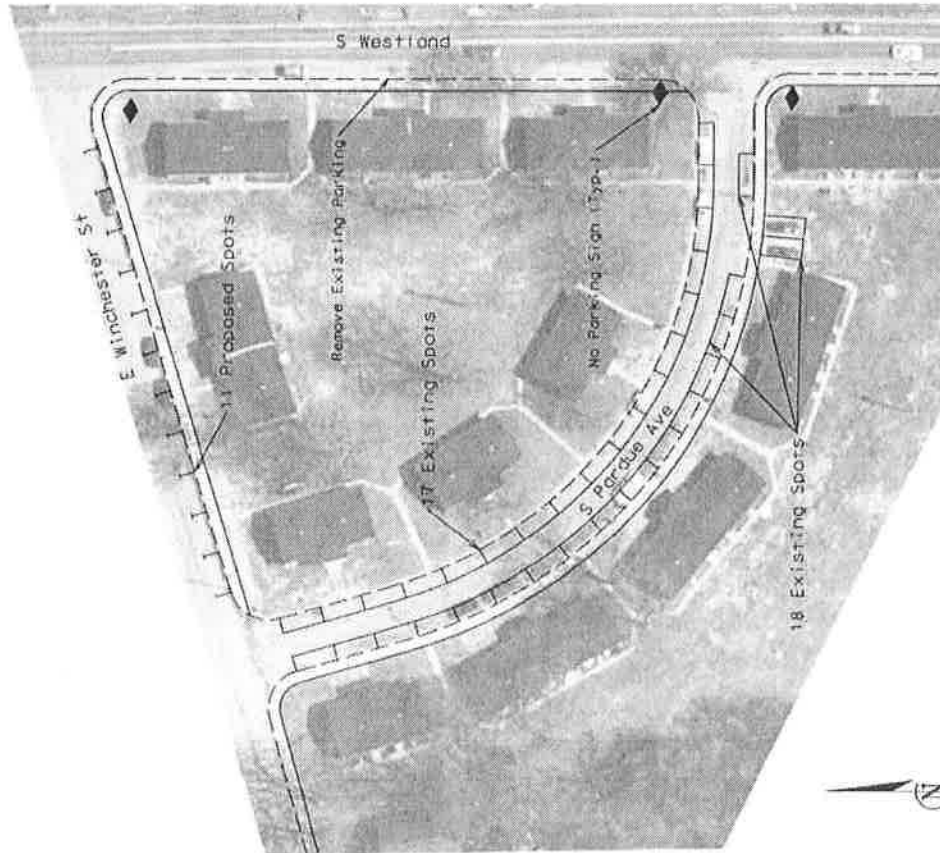
*Doesn't meet Subdivision Regulations but does meet AASHTO Green Book standards.

Table 2 list streets not in compliance with the current Subdivision Regulation, and offers options to become compliant.

Table 2

<i>Street</i>	<i>Recommendation to make Compliant</i>
Small Street	Stripe to allow parking on one side of street only. See Exhibit A .
North Blakemore	Option A: Widen road and stripe to accommodate on-street parking on one side only. Option B: Provide off-street parking. See Exhibit B .
East Winchester	Stripe to allow parking on one side of street only. Remaining existing on-street parking to be relocated to South Pardue. See Exhibit C .
East Bledsoe	Remove on-street parking. Relocate to alternate locations as shown in Exhibit D .
South Westland Avenue	Remove on-street parking south of East Winchester Street. Relocate to alternate locations as shown in Exhibit C and Exhibit D .

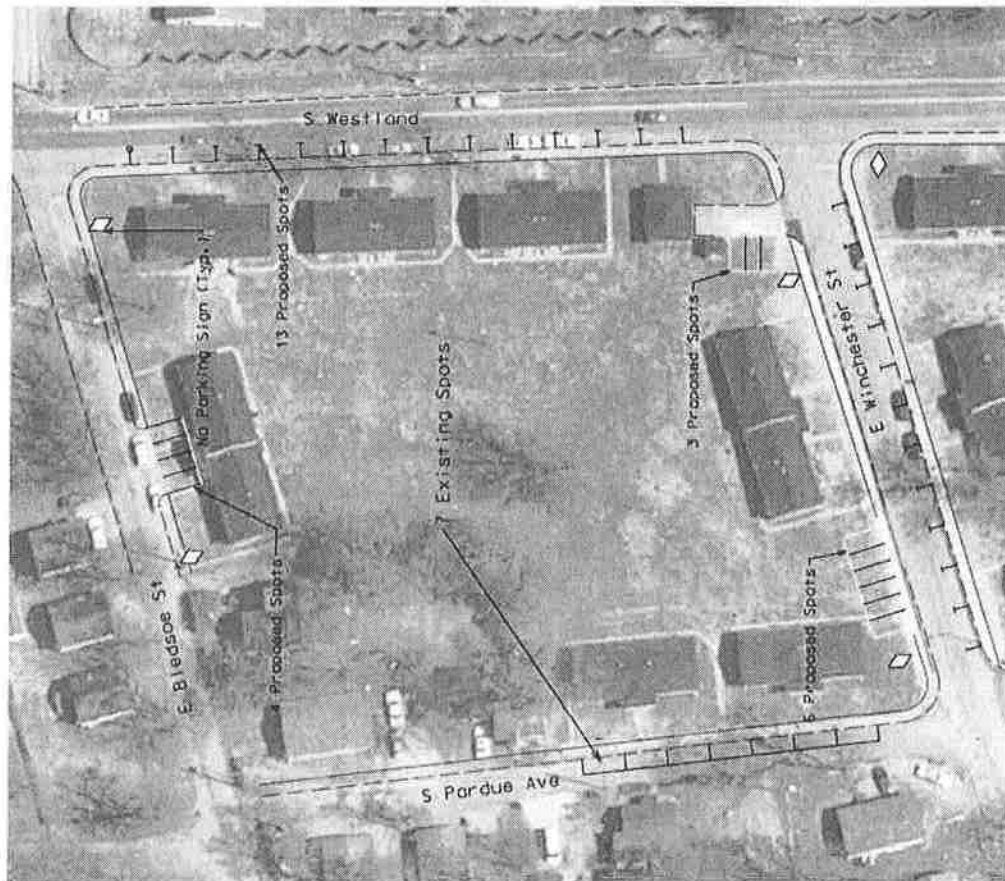
Exhibit C East Winchester and South Westland



City of Gallatin Engineering Division

Number of spots required: 48
Number of spots proposed: 45
(Additional spots will be
provided as shown on Exhibit D)

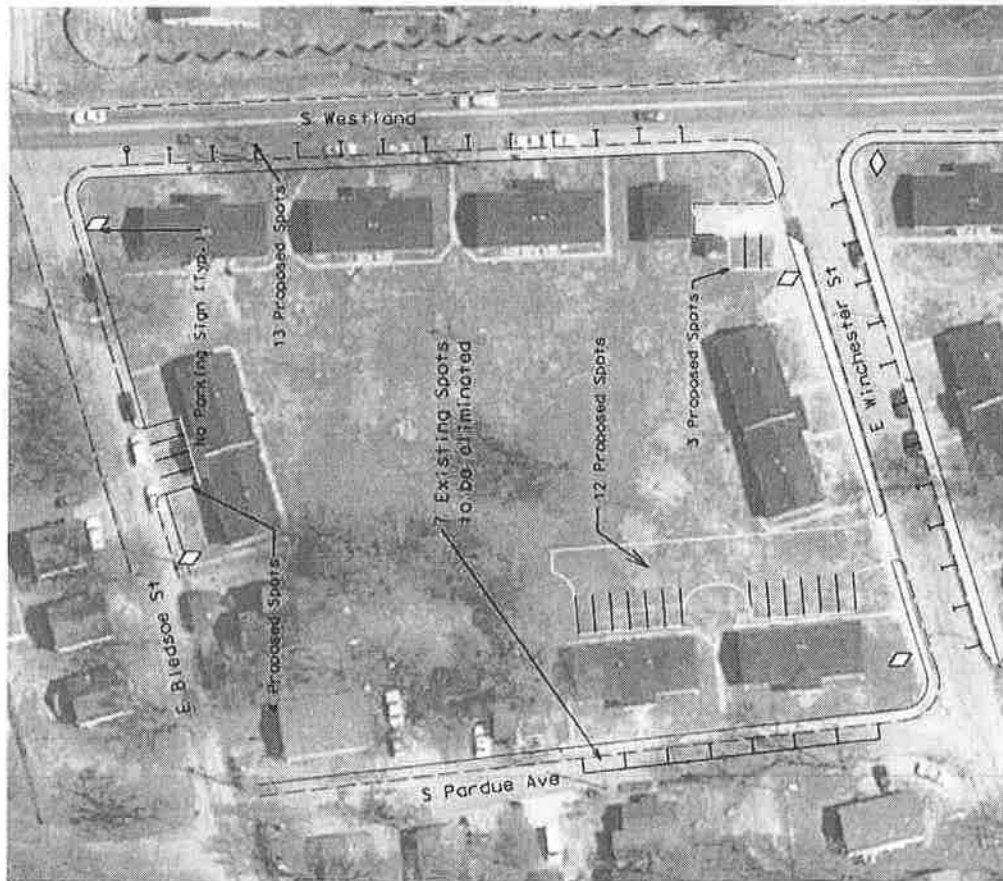
Exhibit D East Bledsoe and South Westland



City of Gallatin Engineering Division

Number of spots required: 28
Number of spots proposed: 33
(3 extra spots are provided for parking that is lost in Exhibit C)

Exhibit D (Alternate) East Bledsoe and South Westland



City of Gallatin Engineering Division

Number of spots required: 28
Number of spots proposed: 32
(4 extra spots are provided for parking that is lost in Exhibit C)

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

March 26, 2013

DEPARTMENT: CITY ATTORNEY

AGENDA # 4

SUBJECT:

Kroger Surety on Savannah

SUMMARY:

Kroger has requested that it be permitted to provide a guaranty to any sums owed by Savannah, LLC in lieu of renewing their bond. City Attorney is comfortable with guaranty as long as it is provided by Kroger parent company. See attached email.

RECOMMENDATION:

ATTACHMENT:

☐ Resolution
☐ Ordinance

☐ Correspondence
☐ Contract

☐ Bid Tabulation
☒ Other

Approved
Rejected
Deferred

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Notes:

Joe Thompson

From: Yvonne Norman [ynorman@tewlawfirm.com] on behalf of Thomas V. White [tvwhite@tewlawfirm.com]
Sent: Tuesday, March 19, 2013 9:30 AM
To: Joe Thompson
Cc: Ash, Patricia T (patricia.ash@kroger.com); Corbitt, John A (john.corbitt@sfdc.com); Prueter, Dave (dave.prueter@kroger.com); Hodge, Joe (joe.hodge@kroger.com)
Subject: Kroger/Downs
Attachments: 20130319090517181.pdf

I am asking for your assistance with respect to the obligation of Kroger to bond their agreement with the City of Gallatin. The original agreement dated May 9, 2010, has been extended by amendment on several occasions. This agreement is by "Kroger Limited Partnership I, an Ohio Limited Partnership" and bond has been issued by Fidelity and Deposit Company of Maryland. An unsigned copy of the original agreement is enclosed. It is clear that Downs has been less than cooperative with the City, but my clients are faced with the prospect of renewing their bond one more time as of this May.

Also enclosed is a copy of the unsigned amendment. This document clearly allows the replacement of surety in a form acceptable to you as the City Attorney in order to secure Kroger's payment to the City. My specific request is that the parent company "The Kroger Co." be allowed to be the guarantor for the obligations in this matter. This Company is extremely well-healed and the guaranty would be for this entity for the obligations of the Kroger Limited Partnership I.

It is my understanding that the current bond costs approximately \$15,000 for each annual period. I don't think anyone expected litigation between Gallatin and Downs to go this long, and I am asking for some flexibility from my client which continues to serve as a good corporate citizen.

Tom White

-----Original Message-----

From: Thomas V. White [mailto:tvwhite@tewlawfirm.com]
Sent: Tuesday, March 19, 2013 8:05 AM
To: Yvonne Norman
Subject: Scan from TEWLAW MP C4501 Copier

This E-mail was sent from "RNP0026732F63EF" (Aficio MP C4501).

Scan Date: 03.19.2013 09:05:17 (-0400)
Queries to: copy@tewlawfirm.com